

ASSEMBLY BILL

No. 2636

Introduced by Assembly Member Furutani

February 24, 2012

An act to amend Section 3075 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2636, as introduced, Furutani. Apprenticeship.

Existing law provides for the establishment of apprenticeship programs in various trades, to be approved by the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations in any trade in the state or in a city or trade area whenever the apprentice training needs justify the establishment. Existing law provides that the apprentice training needs in the building and construction trades shall be deemed to justify a new apprentice program only if one or more specified conditions are met.

This bill would make technical, nonsubstantive changes to these provisions of law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3075 of the Labor Code is amended to
- 2 read:
- 3 3075. (a) An apprenticeship program may be administered by
- 4 a joint apprenticeship committee, unilateral management or labor
- 5 apprenticeship committee, or an individual employer. Programs

1 may be approved by the ~~chief~~ *Chief of the Division of*
2 *Apprenticeship Standards* in any trade in the state or in a city or
3 trade area, whenever the apprentice training needs justify the
4 establishment. ~~Where~~ *If* a collective bargaining agreement exists,
5 a program shall be jointly sponsored unless either party to the
6 agreement waives its right to representation in writing. Joint
7 apprenticeship committees shall be composed of an equal number
8 of employer and employee representatives.

9 (b) For purposes of this section, the apprentice training needs
10 in the building and construction trades shall be deemed to justify
11 the approval of a new apprenticeship program only if any of the
12 following conditions are met:

13 (1) There is no existing apprenticeship program approved under
14 this chapter serving the same craft or trade and geographic area.

15 (2) Existing apprenticeship programs approved under this
16 chapter that serve the same craft or trade and geographic area do
17 not have the capacity, or neglect or refuse, to dispatch sufficient
18 apprentices to qualified employers at a public works site who are
19 willing to abide by the applicable apprenticeship standards.

20 (3) Existing apprenticeship programs approved under this
21 chapter that serve the same trade and geographic area have been
22 identified by the California Apprenticeship Council as deficient
23 in meeting their obligations under this chapter.

24 (c) Notwithstanding subdivision (b), the California
25 Apprenticeship Council may approve a new apprenticeship
26 program if special circumstances, as established by regulation,
27 justify the establishment of the program.